

REMARKS

Applicants acknowledge receipt of an Office Action dated June 14, 2007. In this response, Applicants have amended claims 1 and 3. Support for these amendments may be found in the figures and in the specification, *inter alia*, at pages 17-20.

Following entry of these amendments, claims 1-12 remain pending in the application pending in the application. Claims 4-12 have been withdrawn from consideration as being drawn to non-elected subject matter. Thus, claims 1-3 are currently pending and under consideration.

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Information Disclosure Statement

On page 2 of the Office Action, the PTO has discussed the references to certain documents in Applicants' specification. Applicants note that both JP 5-317639 and JP 10-855533 were cited in an Information Disclosure Statement which was filed on March 10, 2004. Thus, all of the documents discussed in the specification have been cited in an Information Disclosure Statement.

Specification

On page 2 of the Office Action, the PTO has noted certain informalities in the specification. In this response, Applicants have amended the specification to correct these minor informalities. In view of these amendments, Applicants respectfully request reconsideration and withdrawal of the outstanding objections to the specification.

Rejection Under 35 U.S.C. § 102 - Cirillo

On page 3 of the Office Action, the PTO has rejected claims 1-3 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent 5,676,913 to Cirillo *et al.* (hereafter "Cirillo"). Applicants traverse this rejection for the reasons set forth below.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v.*

Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See generally MPEP § 2131.

Here, Cirillo fails to disclose “adsorbing and carrying carbon monoxide generated through an incomplete combustion in a CO absorbing area” or that the “ozone decomposing area and the CO absorbing area are formed in a common oxidizing reaction area” of the independent claim 1.

As discussed in Applicants’ specification, active oxygen is generated through the decomposition of ozone (O_3). This active oxygen remains active for a very short time, and accordingly, in order to effectively utilize such active oxygen, and as recited in Applicants presently claimed invention, the “ozone decomposing area and the CO absorbing area are formed in a common oxidizing reaction area.” In this area, the CO is reacted to form CO_2 .

Applicants acknowledge that , at col. 4, ll. 11-18, Cirillo states: “As regards the problem of reducing the concentration of harmful oxides, the state of the art essentially proposes catalytic oxidation based on catalysts preferably made up of precious metals such as platinum, cobalt and the like, which are activated at high temperatures. In the present invention, the oxidation is preferably promoted by a catalytic bed 9 which is active at least at ambient temperature, said bed comprising one or more catalysts.”

Applicants also note that, at p. 13, ll. 6-14, the present specification lists porous carbon containing Co, as an ozone decomposing substance and that, at p. 18, ll. 8-21, the present specification discusses the use of Pt as a CO adsorbing agent.

Cirillo, while referring to both Pt and Co, does not disclose the *combination* of (i) an ozone decomposing substance *and* (ii) a CO adsorbing agent. Cirillo, therefore, also fails to disclose “that the “ozone decomposing area and the CO absorbing area are formed in a common oxidizing reaction area”.

For these reasons, Applicants submit that the outstanding rejection §102 based upon Cirillo should not stand and ought to be withdrawn.

In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection under § 102 based upon Cirillo.

Rejection Under 35 U.S.C. § 102 - Cornwell

On page 4 of the Office Action, the PTO has rejected claims 1-3 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent 5,221,520 to Cornwell (hereafter "Cornwell"). Applicants traverse this rejection for the reason set forth below.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). See generally MPEP § 2131.

Here, Cornwell fails to disclose "adsorbing and carrying carbon monoxide generated through an incomplete combustion in a CO adsorbing area" as recited in claim 1. Also, inasmuch as Cornwell fails to disclose anything that would adsorb and carry CO, Cornwell also fails to disclose that the "ozone decomposing area and the CO absorbing area are formed in a common oxidizing reaction area" as recited in claim 1.

For this reason, Applicants submit that the outstanding rejection should not stand and ought to be withdrawn.

In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection under § 102 based upon Cornwell.

CONCLUSION

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. § 1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 9/14/07
FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5540
Facsimile: (202) 672-5399

By P.D.S.
Paul D. Strain
Registration No. 47,369
Attorney for Applicant